

## **2011 DRAFTING REQUEST**

### **Bill**

Received: **01/31/2011**

Received By: **tkuczens**

Wanted: **As time permits**

Companion to LRB:

For: **Administration-Budget 266-1037**

By/Representing: **hanle**

May Contact:

Drafter: **tkuczens**

Subject: **Education - school finance**

Addl. Drafters:

Extra Copies: **pg**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to: **tracy.kuczenski@legis.wisconsin.gov**

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### **Pre Topic:**

DOA:.....Hanle, BB0284 -

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### **Topic:**

Transportation payments to parents

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### **Instructions:**

See attached

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### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/P1	tkuczens 02/04/2011	jdye 02/05/2011	phenry 02/07/2011	_____	sbasford 02/07/2011		

FE Sent For:

**<END>**

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/?	tkuczens	pl 3/5 jld	2/ ph	2/ ph			

FE Sent For:

<END>

**Kuczenski, Tracy**

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**From:** Hanle, Bob - DOA [bob.hanle@wisconsin.gov]

**Sent:** Thursday, February 03, 2011 5:37 PM

**To:** Kuczenski, Tracy

**Subject:** RE: Statutory Language Drafting Request

The information on what the requester wants is not always the best. My understanding is that a provision in Act 28 (sections 2302p, 2302t, 9339(8x) in Act 28) limited the consolidated transportation contract to MPS only. I believe what is wanted is to expand the provision to the rest of the state.

**Bob Hanle, Team Leader**  
**State Budget Office**  
**101 E. Wilson St. -- 10th Floor**  
**P.O. Box 7864**  
**Madison, WI 53707-7864**  
**(608) 266-1037**

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**From:** Kuczenski, Tracy [mailto:Tracy.Kuczenski@legis.wisconsin.gov]

**Sent:** Thursday, February 03, 2011 9:35 AM

**To:** Hanle, Bob - DOA

**Subject:** RE: Statutory Language Drafting Request

Bob –

I'm not clear about this request. Your instructions reference 2009 AB 809 section 3, which amends s. 121.55 (3) (b). I'm not sure what you mean when you indicate in the request that the intent of the draft (eliminating multiple aid payments to parents or guardians) is that it "should apply to any school, not just private schools."

Section 121.55 (3) addresses the ability of school districts to contract with parents to provide transportation for pupils who attend private schools and who are required to be transported under s. 121.54 (2) (b) 1. Section 121.54 (2) (b) requires school boards to transport pupils who attend private schools to those private schools under certain conditions. Section 121.55 (3) (b) gives **\*MPS\*** the authority to limit payments when two or more pupils are attending the same private school. So the aid payments to parents under s. 121.55 (3) are only made for pupils who attend private schools and who are transported to those private schools by their parents.

Except for s. 121.54 (7) (relating to the transportation of pupils to extracurricular activities), I don't believe school districts are required or able to contract with parents of pupils who transport their kids to **\*public\*** schools, are they? Do you mean that you want me to amend s. 121.55 (3) (c) so that it applies to contracts between parents sending their kids to private schools and **\*all school boards\*** (not just MPS)?

Tracy

Tracy K. Kuczenski  
*Legislative Attorney*  
Wisconsin Legislative Reference Bureau  
tracy.kuczenski@legis.wisconsin.gov  
(608) 266-9867

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2/4/2011

**Kuczenski, Tracy**

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**From:** Hanaman, Cathlene  
**Sent:** Monday, January 31, 2011 1:17 PM  
**To:** Kuczenski, Tracy; Grant, Peter  
**Subject:** FW: Statutory Language Drafting Request

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**From:** DOADLBASADMININTERNETSHAREPOINT@WI.GOV  
[mailto:DOADLBASADMININTERNETSHAREPOINT@WI.GOV]  
**Sent:** Monday, January 31, 2011 12:19 PM  
**To:** Hanaman, Cathlene  
**Cc:** Hetzel, Shayna - DOA; Thornton, Scott - DOA; Hanle, Bob - DOA; Hanle, Bob - DOA  
**Subject:** Statutory Language Drafting Request

Topic: Transportation payments to parents

Tracking Code: BB0284

SBO Team: ECF

SBO Analyst: Hanle, Bob - DOA  
Phone: (608) 266-1037  
E-mail: Bob.Hanle@Wisconsin.gov

Agency Acronym: DPI

Agency Number: 255

Priority: Medium

Intent:  
The intent is to eliminate multiple aid payments to parents or guardians who transport 2 or more pupils residing in the same household to the same school.

This looks similar to the provision in 2009 AB809, Section 3, except that it should apply to any school, not just private schools.

Attachments: False

121.52(2)(b)



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-12427

TKK: A....

RMR:m

LPS - Fix request sheet

DOA:.....hanle, BB0284 - Transportation payments to parents ✓

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

2/4/11

✓

Don't gen

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AN ACT ...; relating to: the budget. ✓

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*Analysis by the Legislative Reference Bureau*

**EDUCATION** ✓

**PRIMARY AND SECONDARY EDUCATION** ✓

Current law, with some exceptions, requires a school district to provide transportation to and from school for a pupil attending a private school that is located at least two ✓ miles from the pupil's residence.

Under current law, if the estimated cost of transporting a pupil to a private school is more than 1.5 ✓ times the school district's average cost per pupil for bus transportation, the school board may fulfill its obligation to transport the pupil by contracting with the pupil's parent or guardian. Except as provided below, the contract must provide for an annual payment for each pupil of at least ✓ \$5 times the number of miles between the pupil's residence and the private school, or the school district's average cost per pupil for bus transportation, whichever is greater.

In a ✓ first class city school district (currently, only the ✓ Milwaukee Public Schools), if two ✓ or more pupils reside in the same household and attend the same private school, the contract may, at the discretion of the school board, provide for a total annual payment of the amount described above for all of the pupils instead of for each of the pupils. This bill extends this provision to all school districts.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 121.55 (3) (b) of the statutes is amended to read:

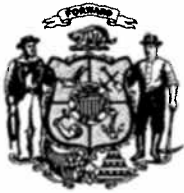
2           121.55 (3) (b) Except as provided in par. (c), if 2 or more pupils reside in the  
3 same household and attend the same private school, the contract under par. (a) may,  
4 at the discretion of the school board of the school district operating under ch. 119,  
5 provide for a total annual payment for all such pupils of not less than \$5 times the  
6 distance in miles between the pupils' residence and the private school they attend,  
7 or the school district's average cost per pupil for bus transportation in the previous  
8 year exclusive of transportation for kindergarten pupils during the noon hour and  
9 for pupils with disabilities, whichever is greater.

History: 1979 c. 34, 221; 1981 c. 263; 1983 <sup>✓</sup> c. 264; 1997 a. 164; 2009 a. 28.

10           **SECTION 9337. Initial applicability; Public Instruction.**

11           (1) PUPIL TRANSPORTATION; PRIVATE SCHOOLS. <sup>✓</sup> The treatment of section <sup>✓</sup> 121.55 (3)  
12 (b) of the statutes first applies to contracts entered into under section <sup>✓</sup> 121.55 (3) of  
13 the statutes, as affected by this act, on the effective date of this subsection. <sup>✓</sup>

14           **(END)**



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-1242/P1  
TKK:jld:ph

DOA:.....Hanle, BB0284 - Transportation payments to parents

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Current law, with some exceptions, requires a school district to provide transportation to and from school for a pupil attending a private school that is located at least two miles from the pupil's residence.

Under current law, if the estimated cost of transporting a pupil to a private school is more than 1.5 times the school district's average cost per pupil for bus transportation, the school board may fulfill its obligation to transport the pupil by contracting with the pupil's parent or guardian. Except as provided below, the contract must provide for an annual payment for each pupil of at least \$5 times the number of miles between the pupil's residence and the private school, or the school district's average cost per pupil for bus transportation, whichever is greater.

In a first class city school district (currently, only the Milwaukee Public Schools), if two or more pupils reside in the same household and attend the same private school, the contract may, at the discretion of the school board, provide for a total annual payment of the amount described above for all of the pupils instead of for each of the pupils. This bill extends this provision to all school districts.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 121.55 (3) (b) of the statutes is amended to read:

121.55 (3) (b) Except as provided in par. (c), if 2 or more pupils reside in the same household and attend the same private school, the contract under par. (a) may, at the discretion of the school board ~~of the school district operating under ch. 119,~~ provide for a total annual payment for all such pupils of not less than \$5 times the distance in miles between the pupils' residence and the private school they attend, or the school district's average cost per pupil for bus transportation in the previous year exclusive of transportation for kindergarten pupils during the noon hour and for pupils with disabilities, whichever is greater.

**SECTION 9337. Initial applicability; Public Instruction.**

(1) PUPIL TRANSPORTATION; PRIVATE SCHOOLS. The treatment of section 121.55 (3) (b) of the statutes first applies to contracts entered into under section 121.55 (3) of the statutes, as affected by this act, on the effective date of this subsection.

(END)